

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BILLY J. SCHRADER and JULIE R.
THIEMANN,

Defendants.

4:14CR3051

PRELIMINARY ORDER OF FORFEITURE

This matter comes on before the Court upon the United States' Motion for Issuance of Preliminary Order of Forfeiture (Filing No. 127). The Court reviews the record in this case and, being duly advised in the premises, finds as follows:

1. Defendant, Thiemann has entered into a Plea Agreement (Filing No. 81) whereby she has agreed to plead guilty to Count IV and admit the Forfeiture Allegation in the Indictment filed herein. Defendant, Schrader, has agreed to plead guilty to Count I and the Forfeiture Allegation of the Indictment filed herein. Counts I and IV charged the Defendants with the production of child pornography by a parent or guardian of child pornography, in violation of Title 18, United States Code, § 2251 (b)(2) and §2. The Forfeiture Allegation sought the forfeiture, pursuant to 18 U.S.C. § 2253, of the following:

1. One Dell Studio 153 7 laptop, service tag number 8LZYLH 1;
2. One Hitachi 250 GB hard drive, serial number 081113FC3DOONJG2RJ9C;
3. One Toshiba 40GB hard drive, serial number 63G31195S;
4. One Motorola Droid 3 cellphone, serial number L826QS7MSS;
5. One Dell Studio PP39L laptop, serial number 76WD8M1;

6. One Seagate 320GB hard drive, serial number 5VJ37BZR;
7. One Motorola Droid 2 cellphone, serial number L516NS5L VK; and
8. One Samsung 2GB Micro SD card,

on the basis they were used or was intended to be used to facilitate said violation.

2. By virtue of said guilty plea, the Defendants forfeits his interest in the above-described properties, and the United States should be entitled to possession of said properties, pursuant to 18 U.S.C. § 2253.

3. The United States' Motion for Issuance of Preliminary Order of Forfeiture should be sustained.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

A. The United States' Motion for Issuance of Preliminary Order of Forfeiture is hereby sustained.

B. Based upon the Forfeiture Allegation of the Indictment and the Defendants plea of guilty, the United States is hereby authorized to seize the properties.

C. The Defendants interest in said properties is hereby forfeited to the United States for disposition in accordance with the law, subject to the provisions of 18 U.S.C. § 2253.

D. The aforementioned properties is/are to be held by the United States in its secure custody and control.

E. Pursuant to 18 U.S.C. § 2253, the United States forthwith shall publish for at least thirty consecutive days on an official Government internet site, www.forfeiture.gov, notice of this Order, Notice of Publication evidencing the United States' intent to dispose of the properties in such manner as the Attorney General may direct, and notice that any person, other than the Defendant, having or claiming a legal interest in any of the subject properties must file a Petition

with the court within thirty days of the final publication of notice or of receipt of actual notice, whichever is earlier.

F. Said published notice shall state the Petition referred to in Paragraph E, above, shall be for a hearing to adjudicate the validity of the Petitioner's interest in the properties, shall be signed by the Petitioner under penalty of perjury, and shall set forth the nature and extent of the Petitioner's right, title or interest in the subject properties and any additional facts supporting the Petitioner's claim and the relief sought.

G. The United States may also, to the extent practicable, provide direct written notice to any person known to have an interest in the properties subject to this Order as a substitute for published notice as to those persons so notified.

H. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture pursuant to 18 U.S.C. § 2253, in which all interests will be addressed.

ORDERED this 27th day of April, 2015.

BY THE COURT:

s/ *Richard G. Kopf*
Senior United States District Judge